

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 27, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

HARVEY MADDUX,

Plaintiff,

v.

SHERIFF SPOKANE COUNTY, CHIEF
OF SIU AND/OR DOC GANG TASK
FORCE, CHIEF OF SPOKANE VALLEY
POLICE DEPT and POLICE OFFICER
CORKLE,

Defendants.

No. 2:21-CV-00313-SAB

**ORDER DISMISSING
COMPLAINT WITHOUT
PREJUDICE**

Before the Court is Plaintiff Harvey Maddux's Motion to Voluntarily Dismiss Complaint, ECF No. 16. The motion was considered without oral argument. By Order filed March 14, 2022, the Court had directed Plaintiff, a former prisoner, to file a new application to proceed *in forma pauperis* or to pay the full \$402.00 filing fee, and extended Plaintiff's deadline to either amend or voluntarily dismiss his complaint to April 13, 2022. ECF No. 15.

By Order filed January 5, 2022, the Court had granted Plaintiff leave to proceed *in forma pauperis* while he was facing charges and confined at the Eastern

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1 State Hospital. ECF No. 12. On February 16, 2022, Plaintiff advised the Court that
2 he was residing in Spokane, Washington. ECF No. 14.

3 On March 18, 2022, Plaintiff filed the present motion and requested oral
4 argument. ECF No. 16. Plaintiff has filed nothing further. The Court has determined
5 that oral argument is not necessary pursuant to Eastern District of Washington Local
6 Civil Rule 7(i)(3)(B)(iii), and therefore, the Court considered the motion on the date
7 signed below. Plaintiff has a right to voluntarily dismiss the case under Federal Rule
8 of Civil Procedure 41(a)(1)(A)(i). Consequently, the Court grants the motion.

9 Accordingly, **IT IS HEREBY ORDERED:**

10 1. Plaintiff's Motion to Voluntarily Dismiss Complaint, ECF No. 16, is
11 **GRANTED.**

12 2. The above-captioned matter is **DISMISSED** without prejudice.

13 3. The District Court Executive is directed to **CLOSE** the file.

14 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order and
15 Judgment of Dismissal, furnish copies to Plaintiff at his last known address, and
16 terminate all pending hearing dates and deadlines.

17 **DATED** this 27th day of April 2022.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

23 Stanley A. Bastian
24 Chief United States District Judge
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